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CIA said to ignore snooping revocation

From Wire Services

Washington—U.S. intelligence agencies ignored a presidential order revoking a plan authorizing illegal domestic spying, the chairman of the Senate Select Committee on Intelligence, Frank Church, said yesterday.

Senator Church (D., Idaho) said the intelligence agencies "paid no heed to the revocation."

"Instead," the senator said, "they continued the very practices for which they had sought presidential authority—expanding some of them and reinstating others which had been abolished years before."

He noted that the CIA had illegally opened mail before the so-called Huston plan was approved by President Nixon.

Tom Charles Huston, the architect of a controversial 1970 proposal for an expanded and reorganized domestic surveillance effort that bears his name, said the Huston plan might never have existed "if we had known that many of the tools we were asking for were already being used and weren't getting any results."

Mr. Church drew a parallel between yesterday's disclosure and the revelation during committee hearings last week that



T. CHARLES HUSTON
... 'Huston plan' author

an official of the Central Intelligence Agency had failed, despite a presidential directive from then-President Nixon to destroy a quantity of shellfish toxin in the agency's possession.

"As in the case of the shellfish toxin," the senator said, "The decision of the President seemed to matter little."

Mr. Huston told the committee that neither he nor, to the

best of his knowledge, Mr. Nixon himself had had any knowledge that burglaries, mail openings and other illegal practices were being carried out by federal intelligence agencies during the Nixon administration.

Mr. Nixon approved the Huston plan, which recommended that "present restrictions" against the use of burglaries and mail openings by intelligence agents be lifted in July, 1970, but rescinded his approval five days later.

The Nixon administration's domestic surveillance plan was formulated by Huston and representatives of the federal intelligence agencies in the spring of 1970, at a time when violence, bombings and arson on and around college campuses had reached its peak.

The plan contained a number of recommendations for increased surveillance of radical groups and leaders, but the two that caused the greatest furor when they became public during the Senate Watergate committee's hearings in 1973, were those recommending the removal of "restrictions" on break-ins and mail openings.

Mr. Nixon's approval of those proposals despite Mr. Huston's caveat that they were clearly illegal, formed the basis

for one of the three articles of impeachment voted against the former President last year by the House Judiciary Committee.

Mr. Huston testified yesterday that there was never any discussion, in his presence, within the Nixon White House or the interagency committee that drafted the recommendations, of the illegality or dubious constitutionality of any of the proposals.

"It was my opinion at the time," Mr. Huston told the senators, that the Fourth Amendment to the Constitution, which prohibits search and seizure not accompanied by a judicial warrant, "didn't apply to the President" in cases where the national security was at issue.

Mr. Huston has testified he was also under the impression that neither Mr. Nixon nor President Johnson knew of the CIA's Operation Chaos nor the FBI's Operation Conintelpro, which were aimed against dissident groups.

He said it is "totally untrue" that the Huston plan was a precursor to the creation of the White House "plumbers" to investigate new leaks or to the Watergate break-in.

In a related development, Senator Richard S. Schweiker (R., Pa.) announced that Mr. Church and the committee vice chairman, John G. Tower (R., Texas), have authorized the committee to study the CIA's and FBI's co-operation with the Warren commission's investigation of the assassination of President Kennedy.

Mr. Schweiker said he and Senator Gary Hart (D., Colo.) will seek to determine "the kind of material that was supplied [to the commission] and the kind of material that wasn't."